

REMARKS

Claims 1, 2, 4-5, 7-9, 11-12 and 14, as amended, remain in this application for the Examiner's review and consideration. Claims 3, 10 and 15-17 have been canceled from consideration with the present invention without disclaimer or prejudice to pursue the subject matter of those claims in one or more continuation or divisional applications. The claims have been amended to more clearly define the scope of protection sought by the present application. Claims 1 and 9 have been amended to recite that an exponential rate of decay is assigned to each time-based weight based on a time gap between a current time and at least one of the creation time and the publication date. Claim 2 has been amended to be in independent form and to include the recitations of its base claim and all intervening claims. Support for these amendments can be found in the specification as originally filed, for example, in claims 2, 3 and 10 and on page 10, lines 4-13. As these amendments do not introduce any new matter into the above identified application, their entry at this time is warranted.

Claims 15-17 were rejected under 35 U.S.C. § 102 as being anticipated by U.S. Patent Application Publication No. US2005/0071741 to Acharya et al. ("Acharya"). Claims 15-17 have been canceled from consideration with the present invention, rendering this rejection moot.

Claims 1-5, 7-12 and 14 were rejected under 35 U.S.C. § 103 as being unpatentable over Acharya in view of U.S. Patent Application Publication No. US2003/0135490 to Barrett et al. ("Barrett"). Applicant asserts that this rejection has been overcome for the reasons that follow.

Acharya is directed to information retrieval systems in which link-based criteria may be used to generate a score associated with a document. These criteria include an age distribution associated with links pointing to a document, dates when links appear, dates when links disappear and the "dynamic-ness" of the links, among other factors.

Barrett is directed to an enhanced popularity ranking in which the search activities of previous users are monitored, and this activity is used to organize information for future users. The user activities are monitored from a time and use based perspective. The basic technique of Barrett is to utilize the time history of uses of information. Therefore a popularity ranking is used based upon timing of previous uses.

The claimed invention as currently recited claims 1 and 9, the only independent claims, associates a time-based weight with each identified in-link using at least one of a creation time and a publication date for an in-linking source containing that in-link and assigns an exponential rate of decay to each time-based weight based on a time gap between a current time and at least one of the creation time and the publication date. The combination of Acharya and Barrett does not disclose or teach an exponential rate of decay assigned to each time-based weight that is based on a time gap between a current time and at least one of the creation time and the publication date for an in-linking source.

The portion of Acharya, paragraph [0079], which was cited for disclosing the assignment of a rate of decay to each time-based weight discusses a dynamic-ness of the links, not the in-linking source. In addition, Acharya mentions factoring a discount/decay into the integration based on the major update time of the document. There is no mention of the use of a time gap between the current time and the creation time or publication date. It was asserted that Acharya discloses an exponential decay rate. However, this portion of Acharya, paragraphs [0041] – [0043], is the same portion cited for teaching the aging factor. The rate of decay is assigned to the time-based weight, which is a separately recited element from the aging factor in the claimed invention. In addition, a separate portion of Acharya, paragraphs [0074] – [0076], was asserted as teaching the time-based weight. Therefore, the history adjusted link score of Acharya that used the log of elapsed time, is not an exponential rate of decay assigned to the time-based weight as in the claimed invention.

Barrett discloses the use of a time decay rate applied to a history of use of information returned in response to a query. There is no teaching or suggestion in Barrett of making any rankings based upon in-link data. In addition, Barrett does not teach or disclose an exponential rate of decay that is assigned to a time-based weight as recited in the claimed invention. Therefore, the combination of Acharya and Barrett fails to teach or disclose all of the elements of the claimed invention as currently recited in claims 1 and 9.

All of the remaining claims depend either directly or indirectly from claims 1 and 9 and contain additional recitations that further define the present invention over Acharya and Barrett.

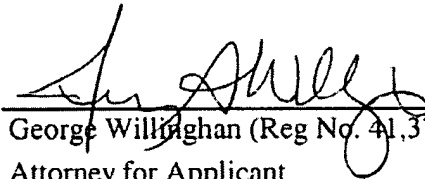
Therefore, the claimed invention is not rendered obvious by reference to Acharya and Barrett, and Applicants respectfully request that this rejection be reconsidered and withdrawn.

Claim 2 was objected to as being based upon a rejected base claim. Claim 2 has been amended to be in independent form and to include all of the recitations of the base claim and any intervening claim. Therefore, Applicants assert that this objection has been overcome and respectfully request that it be reconsidered and withdrawn.

Applicant asserts that all claims are now in condition for allowance, early notification of which is respectfully requested. As the present amendments do not introduce any new claims above the original number of filed claims, no fees are believed due for the submission of this amendment. No other fees are believed due.

Respectfully submitted,

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